

REMARKS

Notice of Non-Responsive Response

Interview Summary

Applicant's representative conducted a telephone interview with the Examiner on September 2, 2009 to discuss the 102 rejection of claims 33-35, and 38, and the 103 rejection of claims 28-31, and 37. Applicant's representative discussed the Examiner's interpretation of the cited references *Beaton* and *Bort* in light of the claims.

Office Action Summary

Claims 33-35 and 38 stand rejected under 35 USC §102(b) as being allegedly anticipated by *Beaton* (US 6,037,937, hereinafter "*Beaton*").

Claim 28-31 and 37 stand rejected under 35 USC §103(a) as being allegedly unpatentable over *Bort* (US 7,305,631, hereinafter "*Bort*") in view of *Beaton*.

Status of Claims:

Claims 28-31, 33-35, 37 and 38 are pending. Claims 28-31, 33-35, 37 and 38 have been amended. Claim 39 has been added. No new matter has been added.

The amendments are supported by the originally filed specification, for example, at paragraphs [0022]-[0024].

Rejection under 35 USC §102(b) – claims 33-35 and 38

Claims 33-35 and 38 stand rejected under 35 USC §102(b) as being allegedly anticipated by *Beaton* (US 6,037,937, hereinafter "*Beaton*").

Beaton describes a navigational tool comprising a touch screen panel 474. The touch screen is on the top surface of the navigational tool. Furthermore, when pressure is applied on a portion of the touch screen, only that portion of the touch screen is displaced. The rest of the touch screen remains in the same plane.

In contrast, Claims 33-35 and 38 recite in part:

“sensing a directional movement with a movement sensor coupled to a lower section of a computer system having an upper section parallel to the lower section...

sensing external pressure on the upper section, the external pressure to move a plane of the upper section; and

translating the external pressure on the upper section to a mouse click action associated with an operation corresponding to the movement of the plane of the upper section relative to the lower section of the computer system.”

Beaton does not teach or suggest the above claimed limitation.

The presently claimed invention is, accordingly, distinguishable over the cited reference. In the view of the foregoing, it is respectfully asserted that claims *Beaton* are now in condition for allowance.

Rejection under 35 USC §103(a) – claims 28-31 and 37

Claims 28-31 and 37 stand rejected under 35 USC §103(a) as being allegedly unpatentable over *Bort* (US 7,305,631, hereinafter “*Bort*”) in view of *Beaton*.

Bort describes a motion sensor at the bottom of a data processing device. *Bort* describes a screen 130 attached to a keyboard 110. There is no pressure to be applied and sensed on the screen 130.

Neither *Bort* nor *Beaton* describe or suggest “sensing external pressure on the upper section, the external pressure to move a plane of the upper section; and

translating the external pressure on the upper section to a mouse click action associated with an operation corresponding to the movement of the plane of the upper section relative to the lower section of the computer system” as recited in part in claims 28-31 and 37.

Applicant respectfully submits that the proposed combination of *Bort* and *Beaton* does not teach or suggest all of the claim limitations of claims 28-31 and 37.

Applicant therefore submits that the rejection based the *Bort* and *Beaton* reference be withdrawn. Thus, Applicant submits that claims 28-31 and 37 recite novel subject matter which distinguishes over any possible combination of *Bort* and *Beaton*.

Request for allowance

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

Extension of Time

Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: January 22, 2010 By /Thierry K. Lo/
Thierry K. Lo
Reg. No. 49,097

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(714) 557-3800